

**State of New Jersey  
PINELANDS COMMISSION  
SOLICITATION REQUEST**

**VENDOR NAME AND ADDRESS:**

**RETURN THIS SOLICITATION REQUEST TO:**

TELEPHONE NUMBER:  
FAX NUMBER:  
FEDERAL ID NUMBER:  
EMAIL:

Pinelands Commission  
Purchasing  
PO Box 7  
New Lisbon, NJ 08064  
TELEPHONE NUMBER: (609) 894-7300 ext. 147  
FAX NUMBER: (609) 894-7334

**RESPONSE TO THIS SOLICITATION REQUEST MUST BE RETURNED BY:**

FRIDAY, SEPTEMBER 22, 2006 AT 3:00 PM  
NEW JERSEY PINELANDS COMMISSION  
15 SPRINGFIELD ROAD  
NEW LISBON, NJ 08064

SOLICITATION NUMBER: RFP-07-0001

QUALIFY AS: (CHECK IF APPLICABLE)

\_\_\_\_\_ SMALL BUSINESS

**NAME: Professional Engineering Consulting Services For Technical Assistance  
in the Review of Stormwater Management Plans Proposed in Association with  
Individual Land Development Applications In The New Jersey Pinelands**

**HOURLY RATE:** \_\_\_\_\_

**IMPORTANT INSTRUCTIONS TO VENDOR:** Fill in all requested information. After you have completed this solicitation request, it must be signed and returned to the address indicated above. The Pinelands Commission General Terms and Conditions are included as a part of this solicitation and any contracts that may evolve.

**BIDDER'S SIGNATURE AND DATE:**

**TITLE**

**REQUEST FOR PROPOSALS  
RFP-07-0001**

**Professional Engineering Consulting Services  
For Technical Assistance in the Review of Stormwater Management Plans  
Proposed in Association with Individual Land Development Applications In  
The New Jersey Pinelands**



John C. Stokes  
Executive Director

## **I. Overview:**

The New Jersey Pinelands Commission is requesting proposals from qualified consulting engineering firms/individuals who will assign a specific New Jersey licensed professional engineer with expertise in the analysis and management of stormwater runoff associated with land development projects in the Pinelands Area of New Jersey to this project. In particular, the assigned NJ licensed professional engineer will have expertise in the implementation of the Pinelands Commission's Stormwater Management Rules (N.J.A.C 7:50-6.84), the NJDEP Stormwater Management Rules (N.J.A.C. 7:8), the NJDEP Stormwater Best Management Practices Manual, and the DEP/Pinelands Joint Model Stormwater Control Ordinance for Pinelands Area Municipalities. Familiarity with both the pre-May 1, 2006 and post May 1, 2006 Pinelands Stormwater Management Rules is highly desirable.

The Pinelands Commission is a regional land use agency with jurisdiction over all or portions of seven counties and 53 municipalities in southern New Jersey. Most land development that occurs within the geographic limits of the Pinelands Area requires application to the Pinelands Commission.

Municipalities and applicants for development in the Pinelands are required to manage stormwater pursuant to the NJDEP stormwater management rules (N.J.A.C. 7:8) and the stormwater management standards of the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50-6.84). While both the NJDEP stormwater rules and the CMP address water quality, water quantity and groundwater recharge, there are some differences between these two regulations. To harmonize these differences, the Commission has developed a joint Pinelands-NJDEP model stormwater control ordinance for adoption by all municipalities in the Pinelands Area (copy can be obtained on the website: <http://www.nj.gov/pinelands>).

The engineer will conduct detailed reviews of stormwater management applications received at the Pinelands Commission for conformance with applicable standards, will prepare correspondence detailing the deficiencies of proposed stormwater management applications as applicable, will discuss these deficiencies with applicants and their consultants via telephone and meetings, as warranted, will provide technical stormwater review training to the Regulatory Programs staff of the Pinelands Commission, and will be available to the Pinelands Commission's Regulatory Programs staff members for consultation on stormwater management issues.

Pinelands Area municipalities are currently transitioning from the pre-May 1, 2006 CMP stormwater management rules to the post May 1, 2006 rules. This transition period is expected to occur on a town by town basis until January 20, 2007, the date by which all Pinelands Area municipalities must adopt ordinances to implement the May 1, 2006 CMP stormwater amendments. It is because of this transitioning between the "old" and "new" CMP stormwater standards that the Commission is seeking a consulting engineer with familiarity with both sets of standards. The engineer assigned to the project by the consulting engineering firm will be expected to apply the appropriate set of stormwater standards in review of the proposed stormwater management provisions of applications during this transitional period. After January 20, 2007, all development subject to the stormwater management provisions of the CMP must conform to the post May 1, 2006 amendments.

The Commission anticipates that the engineering consulting services will be needed for a six-month period, beginning in October/November 2006. Proposals are due to the Pinelands Commission by September 22<sup>nd</sup>, 2006 at 3:00 P. M.

To prevent an appearance of subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof that is currently representing any property owner in the application process with the New Jersey Pinelands Commission must not bid.

## **II. Scope of Work**

Consulting services are sought for the tasks outlined below. The assigned consultant providing these services shall hold a valid license to practice professional engineering in the State of New Jersey for the duration of the contract period. The Commission anticipates that the assigned engineer will dedicate one 8-hour day per week, or two 4 hour half days per week. The contract will cover a six-month period and will be capped at 200 hours. The Commission may consider the renewal of this consulting services contract for an additional six-month period at the same hourly rate.

Task 1 – As assigned by Regulatory Programs Permitting Chief, the engineer will conduct a detailed review of stormwater management applications for development projects received at the Pinelands Commission for conformance with applicable standards (N.J.A.C. 7:50-6.84), (N.J.A.C. 7:8) and Commission certified municipal stormwater control ordinances.

Municipalities in the Pinelands Area have until January 20, 2007, or upon Commission certification of a municipal ordinance that adopts the model ordinance containing the stormwater management rules now contained in the CMP, whichever comes first, to implement the new CMP stormwater management regulations. During the interim period, the stormwater management rules contained in current Commission certified (approved) municipal ordinances remain in effect. As instructed by the Regulatory Programs Permitting Chief, the assigned engineer shall apply whichever set of CMP regulations (pre-May 1, 2006 or post-May 1, 2006) to the development project based upon the status of the municipalities' adoption and the Commission's certification of a municipal stormwater control ordinance which implements the current stormwater management provisions of the CMP (i.e. some applications will be reviewed under the old CMP stormwater management provisions and some projects will be reviewed under the new CMP stormwater management provisions).

Task 2 – The engineer will prepare correspondence detailing the deficiencies of proposed stormwater management applications as applicable, and discuss these deficiencies with applicants and their consultants via telephone conferences and meetings, as warranted. The Commission expects that the engineer will spend most of his or her time at the offices of the Pinelands Commission while engaged in these tasks. All meetings with applicants and/or their consultants shall be held in the offices of the Pinelands Commission during official business hours (9:00 am to 5:00 pm). However, the Commission is willing to entertain some flexibility in this regard.

Task 3 – The engineer will provide technical stormwater review training to the Regulatory Programs staff of the Pinelands Commission on development applications and will be available

to the Pinelands Commission's Regulatory Programs staff for consultation on stormwater management issues. The engineer shall provide technical training, as requested, at the offices of the Pinelands Commission. It is anticipated that the engineer will be available by telephone and email to consult with Commission staff regarding various stormwater management issues.

### **III. Evaluation Factors for Award:**

*A. The Proposal* will be evaluated according to the following four criteria, which are presented in descending order of importance. Standards for each criterion are followed by specific instructions for proposal preparation.

1. *Personnel Experience* - The consulting firm/individual will be expected to provide the Pinelands Commission with documentation to substantiate expertise and familiarity with implementation and or review of stormwater management measures associated with land development applications. The consulting firm/individual should highlight the experience of one assigned New Jersey licensed professional engineer in working with the Pinelands CMP and NJDEP stormwater management standards. The assigned engineer must demonstrate an ability to comprehend the differences between NJDEP stormwater standards, and the pre and post May 1, 2006 stormwater management provisions of the CMP.

The proposal must include the hourly rate for the consultant. The proposal must describe the relevant experience and training of the assigned engineer. Please provide a resume and other professional and academic credentials, awards, and forms of recognition for the engineer proposed to be assigned to the project. A resume for the engineer must be included as an attachment (resumes are limited to 2 pages).

2. *Cost* - In addition to evaluating responses by the above criteria, the Pinelands Commission will consider the consultant's proposed cost to provide the required consulting services. Consultants must provide an **hourly rate** for the six-month (200 hour maximum) contract period. The Commission will not pay separately for administrative costs associated with the consultant's services. If necessary, administrative costs should be reflected in the consultant's hourly rate. With prior approval, the Commission will reimburse the consultant for documented out of pocket expenses directly related to this project (e.g. telephone, copying and travel) but will not pay the consultant for time during travel.
3. *Organizational Experience* - The selected consultant will bring to the Pinelands Commission all resources necessary to complete the required Tasks, including experience in managing projects of similar size and scope.
4. *Technical Approach* – The consultant must describe his or her approach for performing each of the Tasks and how they will ensure their presence at the Commission's office to provide timely review of applications and respond to technical issues raised by the Commission's Regulatory Programs staff. If the Consultant is not located within a sixty-mile radius of the Commission's office, the proposal should describe how communications and work would be accomplished in a timely and cost-effective manner.

*B. Conflict of Interest Avoidance* - To prevent an appearance of subjectivity, any person,

corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof that is currently representing any property owner in the application process with the New Jersey Pinelands Commission must not bid. Additionally, and to further prevent an appearance of impropriety or subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof awarded the contract resulting from this procurement will be precluded during the contract period from engaging in work for the New Jersey Pinelands Commission or any person, corporation, company, consortium, firm or entity located in or doing work for the Commission.

**IV. *Schedule for Award-*** Interested consultants are encouraged to submit written questions by faxing them to the attention of Dawn Rago, 609/894-7334. Questions may be submitted but must be received by the Commission no later than September 15<sup>th</sup>, 2006 at 1:00 P.M. Written responses in the form of addendum(s) will be provided to all prospective bidders via fax and mail by 5:00 P.M. on September 18, 2006.

The Pinelands Commission will form an evaluation committee to review all proposals. It is likely that the evaluation committee will interview one or more vendors to clarify proposal information before final award.

Although subject to change, the Pinelands Commission anticipates making an award for this proposal by October or November 2006.

**V. *Instructions for Preparing Proposals-*** While consultants are not required to follow a standard format in preparing their proposals, they are encouraged to structure their response in accordance with the evaluation criteria. Proposals should be as succinct as possible, limited to those items with direct relevance to the Scope of Work. Seven (7) copies of the Proposal must be provided. *The solicitation number for this RFP must appear on the outside envelope used to mail the proposal.* A letter addressed to John Stokes, Executive Director, with the final proposals must be received by the Pinelands Commission no later than **3:00 p.m. (Eastern) on Friday, September 22, 2006**, and should be sent to the attention of:

Dawn Rago  
Purchasing Agent  
The Pinelands Commission  
P.O. Box 7  
New Lisbon, NJ 08064

If hand-delivered or express mailed, vendors should note that the Commission's street address is 15C Springfield Road, New Lisbon, NJ 08064.

## **Request for Proposal**

### **Technical Assistance for Review of Stormwater Management Applications in the NJ Pinelands**

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#### NEW JERSEY PINELANDS COMMISSION TERMS AND CONDITIONS

The following terms and conditions shall apply to all contracts or purchase agreements made with the State of New Jersey Pinelands Commission as a result of this Solicitation Request. Refer to RFP. NO. (see solicitation cover sheet) in all written and verbal correspondence.

1. **LAWS** - The contractor must comply with all local, state and federal laws, rules and regulations applicable to this contract and to the goods delivered or services performed, including but not limited to Anti-Discrimination Laws (N.J.S.A. 10:2-1 through 10:2-4, N.J.S.A. 10:5-1 et seq. and N.J.S.A. 10:5-31 through 10:5-38); The Workers and Community Right to Know Act (N.J.S.A. 34:5A-1 et seq.); Corporate Authority (N.J.S.A. 14A: 1-1 et seq.); Americans with Disabilities Act (42 U.S.C. §12101, et seq.); Set-Off for State Taxes and Child Support (N.J.S.A. 54:49-19, 20); Prompt Payment Act (N.J.S.A. 52:32-32 et seq.); and Compliance of Codes (New Jersey Uniform Construction Code {NJUCC}, NEC70, B.O.C.A. Basic Building Code, OSHA and must be responsible for securing and paying for all necessary permits where applicable.

2. **STATE LAWS** - Any contracts and/or orders placed as a result of this proposal shall be governed and construed in accordance with the laws of the STATE OF NEW JERSEY.

3. **LIABILITY-COPYRIGHT** - The contractor shall hold, save the State of New Jersey Pinelands Commission, its officers, agents, servants and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

4. **INDEMNIFICATION** - The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the State of New Jersey Pinelands Commission and its employees from and against any and all claims, demands, suits, actions, recoveries, judgment and costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract. This indemnification obligation is not limited by, but is in addition to the insurance obligations contained in this agreement.

5. **INSURANCE** - The contractor shall secure and maintain in force for the term of the contract liability insurance as follows:

a. General liability policy as broad as the standard coverage forms currently in use in the State of New Jersey shall not be circumscribed by any endorsements limiting the breadth of coverage. The policy shall be endorsed to include:

1. Broad Form Comprehensive General Liability
2. Products/Completed Operations
3. Premises/Operations

The Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

b. Automobile liability insurance, which shall be written to cover any automobile used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

c. Workers' Compensation Insurance applicable to the laws of the State of New Jersey and Employers Liability Insurance with limits of not less than:

- \$100,000 Bodily Injury, Each Occurrence
- \$100,000 Disease Each Employee
- \$500,000 Disease Aggregate Limit

The insurance certificates effectuating these coverage's must provide for thirty (30) day written notice to the attention of the Director, Division of Purchase and Property prior to cancellation. The vendor/contractor shall, upon the Pinelands Commission's request, provide current certificates of insurance for all coverage's and renewals thereof.

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#### **6. PERFORMANCE GUARANTEE OF VENDOR - The vendor certifies that:**

a. The equipment offered is standard new equipment, is in current production and the latest model of regular stock product, with parts regularly used for the type of equipment offered, that such parts are all in production and not likely to be discontinued; also, that no attachment or part has been substituted or applied contrary to manufacturer's recommendations and standard practice.

b. All equipment supplied to the Pinelands Commission and operated by electrical current is UL listed where applicable.

c. For all equipment purchases, the vendor shall provide the manufacturer's standard warranty. The contractor will render prompt service, without charge, regardless of geographic location. During the warranty period, the contractor shall replace immediately any material, which is rejected to failure to meet the requirements of the contract.

d. Sufficient quantities of parts necessary for proper service to equipment will be maintained at distribution points and service headquarters.

e. All services rendered to the Pinelands Commission shall be performed in strict and full accordance with the specifications stated in the contract/purchase order. The contract shall not be considered complete until final approval by the Pinelands Commission is rendered.

f. All goods and services to be provided are warranted and fit the particular purpose for which the using agency solicits this quotation.

**7. BRAND NAME ALTERNATIVES -** Brand names and/or descriptions used in this proposal are to acquaint vendors with the type of commodity desired and will be used as a standard by which alternate or competitive materials will be judged. Competitive items must be equal to the standard described and be of the same reputation for quality and workmanship. Variations between the materials described and materials offered must be fully explained by the vendor in an accompanying letter. In the absence of any changes by the vendor, it will be presumed and required that material as described in the proposal be delivered.

**8. PRICE QUOTATIONS -** Insert prices for furnishing all or any portion of the goods or services described. All prices quoted shall be firm through issuance of contract/purchase order and for delivery of quantities specified, and shall not be subject to increase during the period of the contract/purchase order. Prices shall be net and must include all transportation charges fully prepaid by the contractor, F.O.B. Destination.

**9. TAX CHARGES -** The State of New Jersey Pinelands Commission is exempt from State sales or use taxes and Federal excise taxes, and they must not be included in the proposal price or invoice.

**10. PAYMENT -** Payments will only be made against vendor's invoices. All goods and services are to be billed at the prices quoted. Payment will be made within sixty (60) days of receipt of invoice or certification that goods and/or services have been received, whichever is later.

**11. CASH DISCOUNTS -** Vendors are encouraged to offer cash discounts based on expedited payment by the Pinelands Commission. The Pinelands Commission will make efforts to take advantage of discounts, but discounts offered will not be considered in determining the lowest quote.

a. Discount periods shall be calculated starting from the next business day after the recipient has accepted the goods and services, and received a proper invoice.

b. The date on the check issued by the Pinelands Commission in payment of that invoice shall be deemed the date of the Pinelands Commission's response to that invoice.

**12. STANDARDS PROHIBITING CONFLICTS OF INTEREST -** All contracts or purchase agreements made with the State of New Jersey Pinelands Commission must comply with N.J.S.A. 52:13D-12 et seq., concerning standards prohibiting conflicts of interest on the part of public officials, and Executive Order No. 189 (1988) relating to the solicitation and/or payment of any fee, commission, compensation, gift, gratuity or other thing of value by a vendor to a public official to secure favored treatment. The provisions of N.J.S.A. 52:13D-12 et seq. and Executive Order No. 189 (1988) will be included on the purchase order issued to the award-winning vendor.

**13. EQUAL EMPLOYMENT -** If awarded a contract your company/firm will be required to comply with the requirements of P.L. 1975, C. 127 (N.J.A.C. 17:27).



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### **Technical Assistance for Review of Stormwater Management Applications in the NJ Pinelands**

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14. BUSINESS REGISTRATION CERTIFICATE – Effective September 1, 2004 all contractors and subcontractors providing goods/services to State Agencies are required to provide the contracting agency with proof of registration with the State of New Jersey, Department of the Treasury, Division of Revenue. This proof is to be submitted in the form of a Business Registration Certificate.

15. PUBLIC LAW 2005, CHAPTER 51 - In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the award of contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, Public Law 2005, Chapter 51. On or after October 15, 2004, the above contracted vendor or entity has not solicited or made any Contributions of money, pledge of Contributions, including in-kind Contributions, company or organization Contributions, as set forth that would bar the award of a contract to the Bidder, pursuant to the terms of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13-20.25 superseding Executive Order 134 (2004). If a contract/purchase order is awarded that exceeds \$17,500, the awardees shall be required to satisfy the requirements of Public Law 2005, Chapter 51.

16. PUBLIC LAW 2005, CHAPTER 271- In order to safeguard the integrity of State government procurement by imposing restriction to the award of contras from political contributions that pose the risk of improper influence, purchase of access, or the appearance there of, Public Law 2005 Chapter 271 was created. In definition this requires the vendor or entity to report all Contributions made in the twelve (12) months prior to and including the date of signing of the Certification and Disclosure to: (i) any State, County, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or (ii) any entity that is also defined as a "continuing political committee" under N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.

#### **17. COMPLIANCE WITH REQUIREMENTS OF NJSA 52:34-13.2. -**

1. NJSA 52:34-13.2 requires that all contracts that are "primarily for the performance of services" shall be performed within the United States. This provision applies to all contractors and sub-contractors performing such contracts for the State. This provision is not applicable to a contract that is "primarily for the performance of services" if:

a) the Executive Director, of the New Jersey Pinelands Commission, certifies in writing a finding that the service cannot be provided by a contractor or sub-contractor within the United States; or

b) the Executive Director, of the New Jersey Pinelands Commission, certifies in writing that the inclusion of the provision set forth within the statute for a contract would violate the terms, conditions, or limitations of any grant, funding or financial assistance from the federal government or any agency thereof.

#### **2. SOURCE DISCLOSURE REQUIREMENTS**

Pursuant to NJSA 52:34-13.2, all vendors seeking a contract with the State of New Jersey must disclose:

a) The location by country where services under the contract will be performed; and

b) The location by country where any subcontracted services will be performed.

Accordingly, the vendor should submit the Source Disclosure Certification Form filled out with the sourcing information required for it and any proposed subcontractor under the contract with the State of New Jersey Pinelands Commission. If the information is not submitted with the vendor's proposal, it shall be submitted within five (5) business days of the Pinelands Commission's request for the information.

***FAILURE TO SUBMIT SOURCING INFORMATION WHEN REQUESTED BY THE PINELANDS COMMISSION SHALL PRECLUDE AWARD OF A CONTRACT TO THE VENDOR.***

#### **3. BREACH OF CONTRACT**

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*A SHIFT TO OUTSOURCED SERVICES DURING THE TERM OF THE CONTRACT SHALL BE DEEMED A BREACH OF THE CONTRACT.*

If, during the term of the contract, the contractor or subcontractor, who had on contract award declared that services would be performed in the United States, proceeds to shift the performance of the services outside of the United States, the contractor shall be deemed in breach of the contract, which contract shall be subject to termination for cause.

Revised: 8/06

**NO BID RESPONSE FORM**

**Request for Proposal**Technical Assistance for Review of Stormwater Management Applications in the NJ Pinelands

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Bid or Quote Name and  
Number\_\_\_\_\_

Bid or Quote Opening Date:\_\_\_\_\_

If you decide not to submit a bid or quote, won't you please complete the following?

We are not submitting a bid for the following reason(s)?

\_\_\_\_ Can not comply with specifications

\_\_\_\_ Unable to meet Delivery

\_\_\_\_ Can not comply with terms/conditions. (Please state which ones.)

\_\_\_\_ Do not sell/manufacture type of items involved.

\_\_\_\_ Not interested at this time.

\_\_\_\_ We do\_\_\_\_ do not\_\_\_\_ want to remain on the mailing list for future bid.

Other:\_\_\_\_\_

Please make any changes, if necessary.

Company Name:\_\_\_\_\_

Address:\_\_\_\_\_

City, State, Zip Code:\_\_\_\_\_

Contact Person\_\_\_\_\_ Title:\_\_\_\_\_

Telephone Number\_\_\_\_\_ Fax Number:\_\_\_\_\_

\*\*Please return to the above address attention to Dawn M. Rago

**Bid Document Checklist**

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If marked document is REQUIRED by  
The New Jersey Pinelands Commission

Check if enclosed

- |                          |  |                          |
|--------------------------|--|--------------------------|
| X                        | New Jersey State Business Registration Certificate                 | <input type="checkbox"/> |
| X                        | References   | <input type="checkbox"/> |
| X                        | Federal W-9 Request  | <input type="checkbox"/> |
| X                        | Executive Order 134 Certification (PL 2005, C. 271)                | <input type="checkbox"/> |
| X                        | Affirmative Action Regulations                                     | <input type="checkbox"/> |
| <input type="checkbox"/> | Bid Guarantee (with Power of Attorney for full amount of Bid Bond) | <input type="checkbox"/> |
| X                        | Corporate Disclosure Statement                                     | <input type="checkbox"/> |
| X                        | Non-Collusion Affidavit  | <input type="checkbox"/> |
| X                        | Source Disclosure Certificate                                      | <input type="checkbox"/> |

**N.J.S.A. 52:34-13.2 CERTIFICATION**

**Request for Proposal**Technical Assistance for Review of Stormwater Management Applications in the NJ Pinelands

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**SOURCE DISCLOSURE CERTIFICATION FORM**

Contractor: \_\_\_\_\_ Purchase Order Number: \_\_\_\_\_

I hereby certify and say:

I have personal knowledge of the facts set forth herein and am authorized to make this Certification on behalf of the Contractor.

The Contractor submits this Certification as part of a bid proposal in response to the referenced solicitation issued by the by the Pinelands Commission, an independent political subdivision of the State of New Jersey created pursuant to Section 4 of the Pinelands Protection Act, N.J.S.A. 13:18A-1 et seq., in accordance with the requirements of N.J.S.A. 54:34-13.2.

The following is a list of every location where services will be performed by the contractor and all subcontractors.

| Contractor and/or Subcontractor | Description of Services | Performance Location[s]<br>by COUNTRY |
|---------------------------------|-------------------------|---------------------------------------|
|                                 |                         |                                       |
|                                 |                         |                                       |

Any changes to the information set forth in this Certification during the term of any contract awarded under the referenced solicitation or extension thereof will be immediately reported by the Contractor to the Executive Director, Pinelands Commission, (hereinafter the "Executive Director") the entity issuing the purchase order.

I understand that, after award of a contract to the Contractor, it is determined that the Contractor has shifted services declared above to be provided within the United States to sources outside the United States prior to a written determination by the Executive Director, Pinelands Commission, that the services can not be performed in the United States, the Contractor shall be deemed in breach of contract, which contract will be subject to termination for cause pursuant to Section number 17 of the New Jersey Pinelands Terms and Conditions.

I further understand that this Certification is submitted on behalf of the Contractor in order to induce the Pinelands Commission to accept a bid proposal or quote, with knowledge that the Pinelands Commission is relying upon the truth of the statements contained herein.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Contractor: \_\_\_\_\_  
[Name of Organization or Entity]

By: \_\_\_\_\_ Title: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT**

TO: The Pinelands Commission

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I, \_\_\_\_\_ residing in \_\_\_\_\_  
(Name of affidavit) (Name of Town)  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_ of full age, being  
duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the firm of \_\_\_\_\_  
(Title or Position) (Name of firm)  
\_\_\_\_\_ the bidder making this Proposal for the bid proposal  
entitled \_\_\_\_\_, and that I executed the said proposal with full  
(Proposal Name)

Authority to do so, that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the New Jersey Pinelands Commission relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

\_\_\_\_\_  
(Name of Firm)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Type or print Name)

## Request for Proposal

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Contract Reference: \_\_\_\_\_ Vendor: \_\_\_\_\_

At least ten (10) days prior to entering into the above-referenced contract, the Vendor must complete this Certification and Disclosure Form, in accordance with the directions below and submit it to the State contact for such contract.

**Please note that the disclosure requirements under Public Law 2005, Chapter 271 are separate and different from the disclosure requirements under Public Law 2005, Chapter 51 (formerly Executive Order 134). Although no vendor will be precluded from entering into a contract by any information submitted on this form, a vendor's failure to fully, accurately and truthfully complete this form and submit it to the appropriate State agency may result in the imposition of fines by the New Jersey Election Law Enforcement Commission.**

### **Disclosure**

Following is the required Vendor disclosure of all Reportable Contributions made in the twelve (12) months prior to and including the date of signing of this Certification and Disclosure to: (i) any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or (ii) any entity that is also defined as a "continuing political committee" under N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.

The Vendor is required to disclose Reportable Contributions by: the Vendor itself; all persons or other business entities owning or controlling more than 10% of the profits of the Vendor or more than 10% of the stock of the Vendor, if the Vendor is a corporation for profit; a spouse or child living with a natural person that is a Vendor; all of the principals, partners, officers or directors of the Vendor and all of their spouses; any subsidiaries directly or indirectly controlled by the Vendor; and any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the Vendor, other than a candidate committee, election fund, or political party committee.

"Reportable Contributions" are those contributions that are required to be reported by the recipient under the "New Jersey Campaign Contributions and Expenditures Reporting Act," P.L. 1973, c.83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-10.1 et seq. As of January 1, 2005, contributions in excess of \$300 during a reporting period are deemed "reportable."

**Request for Proposal**Technical Assistance for Review of Stormwater Management Applications in the NJ Pinelands

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PUBLIC LAW 2005 CHAPTER 271 Vendor: \_\_\_\_\_

| Name and Address of Committee to Which Contribution Was Made | Date of Contribution | Amount of Contribution | Contributor's Name |
|--|----------------------|------------------------|--------------------|
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| Indicate " <u>none</u> " if no Reportable Contributions were made. Attach Additional Pages As Needed |
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**Certification:**

*I certify as an officer or authorized representative of the Vendor that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.*

**Name of Vendor:** \_\_\_\_\_**Signed:** \_\_\_\_\_**Print Name:** \_\_\_\_\_**Title:** \_\_\_\_\_**Date:** \_\_\_\_\_





State of New Jersey

THE PINELANDS COMMISSION

PO Box 7

NEW LISBON NJ 08064

(609) 894-7300

RICHARD J. CODEY  
Acting Governor

JOHN C. STOKES  
Executive Director

**CORPORATE DISCLOSURE STATEMENT**

Chapter 33 of the Public Laws of 1977 (NJSA 52:25-24.2) provide in part that no partnership or corporation shall be awarded any Contract for the performance of any work of the furnishing or any materials or supplies unless there is submitted a statement containing the following information:

If the bidder is a corporation or partnership then the statement shall set forth the names and addresses of all stockholders or partners who own 10% or more of its stock of any class.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of the owning corporation.

If no stockholder or partner owns 10% or more of the bidding company then an officer of the company shall sign declaring that fact.

If the bidding company is a sole proprietorship he shall sign declaring that fact.

Failure to supply this information with your bid proposal may be cause for rejection.

☐ Sole Proprietorship

☐ Partnership

☐ Corporation

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Name (print):

Signature:

Date:



<http://www.nj.gov/pinelands/>

E-mail: [info@njpines.state.nj.us](mailto:info@njpines.state.nj.us)

The Pinelands—Our Country's First National Reserve and a U.S. Biosphere Reserve

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**AFFIRMATIVE ACTION REGULATIONS**  
**P.L. 1975, C.127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P. L. 1975, C.127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U. S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).
2. A photocopy of approved Certificate of Employee Information Report.
3. An affirmative Action Employee Information Report (Form AA302).

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.

All bidders must answer the following questions:

1. Do you have a federally approved or sanctioned Affirmative Action Program?  
YES \_\_\_\_\_ NO \_\_\_\_\_
2. Do you have a Certificate of Employee Information Report Approval from the State of New Jersey?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, please submit a copy of such certificate.

The undersigned contractor certifies that he/she is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

COMPANY: \_\_\_\_\_ SIGNATURE \_\_\_\_\_

TITLE: \_\_\_\_\_ NAME (print): \_\_\_\_\_

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